

UNITED STATES OF AMERICA  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Chairman;  
Tony Hammond, Vice Chairman;  
Mark Acton; and  
Nanci E. Langley

Competitive Product Prices  
GEPS 3 (MC2010-28)  
Negotiated Service Agreements

Docket No. CP2017-120

ORDER GRANTING MOTION FOR TEMPORARY RELIEF

(Issued February 23, 2018)

The negotiated service agreement approved in this proceeding (Agreement) is set to expire February 28, 2018.<sup>1</sup> On February 22, 2018, the Postal Service filed a motion for temporary relief seeking to extend the expiration date of the Existing Agreement.<sup>2</sup>

The Postal Service states that it is preparing to file a signed successor agreement with the Commission. Motion at 1. Subsequent to filing the successor agreement, the Postal Service intends to file a modification to the Agreement to change the expiration date of the Agreement to the day prior to the effective date of the

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<sup>1</sup> Order Approving Additional Global Expedited Package Services 3 Negotiated Service Agreement, February 16, 2017 (Order No. 3792).

<sup>2</sup> Motion of the United States Postal Service for Temporary Relief Concerning Global Expedited Package Services 3 Negotiated Service Agreement, February 22, 2018 (Motion).

successor agreement, or March 31, 2018, whichever is earlier. *Id.* To maintain continuity of pricing, the Postal Service requests that the Commission continue to list the Existing Agreement in the Mail Classification Schedule through March 31, 2018. *See id.* at 1-2. The Postal Service acknowledges that its filing is untimely and states that its delay is due to uncertainty over when the successor agreement would be filed with the Commission. *Id.* at 2 n.2.

The imminent filing of a successor agreement suggests a good faith effort on the part of the Postal Service to avoid relying on motions for temporary relief as a standard practice, in keeping with Commission guidance.<sup>3</sup> However, the Commission reiterates that the dates on which contracts are scheduled to expire are known.<sup>4</sup> Failure to make timely filings jeopardizes the ability of the Commission to complete its review prior to contract expiration dates.

This brief extension will not impair the ability of the Existing Agreement to comply with 39 U.S.C. § 3633, will avoid disruption in contract administration, and will not prejudice any person. Consequently, the Existing Agreement is modified to continue until March 31, 2018.

The Postal Service shall promptly file notice with the Commission if the Existing Agreement is terminated prior to the revised expiration date.

*It is ordered:*

1. The Motion is granted.
2. The Commission approves an extension of the Existing Agreement until March 31, 2018.

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<sup>3</sup> See Docket No. CP2012-38, Order No. 2685, Order Granting Second Motion for Temporary Relief, August 26, 2015, at 2 (urging the Postal Service to use contract extensions only in limited circumstances and not as a standard practice).

<sup>4</sup> See Docket No. CP2009-38, Order No. 1523, Order Granting Motion for Temporary Relief and Providing Guidance Regarding Future Motions for Temporary Relief, November 1, 2012, at 2.

3. The Mail Classification Schedule will continue to list the Existing Agreement according to the terms set forth in this Order.
4. The Postal Service shall promptly file notice of the termination of the Existing Agreement if such termination occurs prior to the revised expiration date.

By the Commission.

Stacy L. Ruble  
Secretary